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3 **FAIR POLITICAL PRACTICES COMMISSION**
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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
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12 In the Matter of) FPPC No.: 99/540
13)
14 PAM GARCIA,)
15)
16 Respondent.)
17)

18 The Complainant, Mark Krausse, Executive Director of the Fair Political Practices Commission,
19 hereby submits this Default Decision and Order for consideration by the Fair Political Practices
20 Commission at its next regularly scheduled meeting.

21 Pursuant to the Administrative Procedure Act¹, Respondent PAM GARCIA, has been served
22 with all of the documents necessary to conduct an administrative hearing regarding the above-captioned
23 matter, including the following:

- 24 1. A Finding of Probable Cause;
25 2. An Accusation;
26 3. A Notice of Defense (Two Copies);
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¹ The Administrative Procedure Act, which governs administrative adjudications, is contained in sections 11370 through 11529 of the Government Code.

1 4. A Statement to Respondent, and,

2 5. Copies of Government Code sections 11506, 11507.5, 11507.6 and 11507.7.

3 Section 11506 of the Government Code provides that failure by a respondent to file a Notice of
4 Defense within fifteen days after being served with an Accusation shall constitute a waiver of the
5 respondent's right to a hearing on the merits of the Accusation. The Statement to Respondent, served on
6 Respondent PAM GARCIA, explicitly states that Notice of Defense must be filed in order to request a
7 hearing. Respondent PAM GARCIA failed to timely file a Notice of Defense, within fifteen days of
8 being served with an Accusation, later filed a blank Notice of Defense, and then filed a Notice of
9 Defense in which she admitted the Accusation and did not request a hearing.

10 Respondent PAM GARCIA violated the Political Reform Act as described in Exhibit 1, which is
11 attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and
12 accurate summary of the facts of this matter.

13 This Default Decision and Order is submitted to the Commission to obtain a final disposition of
14 this matter.

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16 Dated: 1/11/02


Mark Krausse
Executive Director
Fair Political Practices Commission

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20 ORDER

21 The Commission issues this Decision and Order and imposes an administrative penalty of \$2,000
22 (Two Thousand Dollars) upon Respondent PAM GARCIA payable to the "General Fund of the State of
23 California."

24 IT IS SO ORDERED, effective upon execution below by the Chairman of the Fair Political
25 Practices Commission at Sacramento, California.

26
27 Dated: _____

28 _____
Karen A. Getman, Chairman
Fair Political Practices Commission